

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Circuit Mediation Office  
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**MEDIATION QUESTIONNAIRE**

This form is available in a fillable version at [http://cdn.ca9.uscourts.gov/datastore/uploads/forms/Mediation\\_Questionnaire.pdf](http://cdn.ca9.uscourts.gov/datastore/uploads/forms/Mediation_Questionnaire.pdf).

The purpose of this questionnaire is to help the court's mediators provide the best possible mediation service in this case; it serves no other function. Responses to this questionnaire are **not** confidential. Appellants/Petitioners must electronically file this document within 7 days of the docketing of the case. 9th Cir. R. 3-4 and 15-2. Appellees/Respondents may file the questionnaire, but are not required to do so.

9th Circuit Case Number(s): **16-56287 (and prior pending appeal, 16-56057)**

District Court/Agency Case Number(s): **2:15-cv-03462 RGK (AGRx)**

District Court/Agency Location: **Central District of California**

Case Name: **Michael Skidmore v. Led Zeppelin et al.**

If District Court, docket entry number(s) or order(s) appealed from: **Document No. 312**

Name of party/parties submitting this form: **Appellant Warner/Chappell Music, Inc.**

Briefly describe the dispute that gave rise to this lawsuit.

Plaintiff sued alleging that Stairway to Heaven, written by Jimmy Page and Robert Plant and recorded by Led Zeppelin in 1970, infringes the copyright in a musical composition titled Taurus written by Randy Craig Wolfe.

Briefly describe the result below and the main issues on appeal.

The case was tried to a jury, which returned a verdict in defendants' favor, and the District Court entered Judgment accordingly. This appeal (No. 16-56287) by Warner/Chappell Music, Inc., is from the District Court's Order denying Warner/Chappell Music, Inc.'s motion for attorneys' fees and motion for additional costs not taxable by the Clerk.

Describe any proceedings remaining below or any related proceedings in other tribunals.

The Clerk has not yet acted on the Application to Tax Costs (Document 294).

Provide any other thoughts you would like to bring to the attention of the mediator.

A mediation assessment conference was held on September 8, 2016 in No. 16-56057, and the case was not selected for inclusion in the Mediation Program.

*Any party may provide additional information in confidence directly to the Circuit Mediation Office at ca09\_meditation@ca9.uscourts.gov. Provide the case name and Ninth Circuit case number in your message. Additional information might include level of interest in including this case in the mediation program, the case's settlement history, issues beyond the litigation that the parties might address in a settlement context, or future events that might affect the parties' willingness or ability to mediate the case.*

## CERTIFICATION OF COUNSEL

I certify that:

a current service list with telephone and fax numbers and email addresses is attached  
(see 9th Circuit Rule 3-2).

I understand that failure to provide the Court with a completed form and service list  
may result in sanctions, including dismissal of the appeal.

Signature /s/ Peter J. Anderson

("s/" plus attorney name may be used in lieu of a manual signature on electronically-filed documents.)

Counsel for Appellant and Defendant Warner/Chappell Music, Inc.

**How to File:** Complete the form and then convert the filled-in form to a static PDF (File > Print > PDF Printer or any PDF Creator). To file, log into Appellate ECF and select File Mediation Questionnaire. (*Use of the Appellate ECF system is mandatory for all attorneys filing in this Court, unless they are granted an exemption from using the system.*)

## **SERVICE LIST**

The parties to defendant Warner/Chappell Music, Inc.'s appeal and those parties' respective counsel of record are as follows:

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8  
9  
10          Defendants James Patrick Page, Robert Anthony Plant, John Paul Jones,  
11          Warner/Chappell Music, Inc., Super Hype Publishing, Inc.,  
12          Atlantic Recording Corp., Rhino Entertainment Company and  
13          Warner Music Group Corp.<sup>1</sup>  
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<sup>1</sup> Plaintiff's complaint and his Representation Statement submitted with his  
37 Notice of Appeal (Document 305-1) purport to identify "Led Zeppelin" as a  
38 defendant, but that is the name of a musical group, it is not a juridical entity capable  
39 of suing or being sued and, accordingly, it was never served and never appeared in  
40 this action.